

The jars had thick walls and bottoms, and contained approximately half the amount indicated by their outward appearance.

On May 22, 1940, the United States attorney for the Southern District of New York filed a libel against 36 cases of the above-named product at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 6, 1940, by Charles H. Phillips Chemical Co. from Glenbrook, Conn.; and charging that it was adulterated in that its containers were so made, formed, or filled as to be misleading.

On May 9, 1941, the Charles H. Phillips Chemical Co., claimant, having withdrawn its answer and consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be delivered to a public institution.

70. Misbranding of tooth paste. U. S. v. 40% Dozen Packages of Forhan's Toothpaste. Consent decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 769. Sample No. 68323-D.)

The tube containing this product occupied not more than 24.6 percent of the capacity of the carton in which it was packed.

On October 19, 1939, the United States attorney for the Southern District of New York filed a libel against 40% dozen packages of Forhan's Toothpaste at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about August 29, 1939, by the Zonite Products Corporation from New Brunswick, N. J.; and charging that it was misbranded in that its containers were so made, formed, or filled as to be misleading.

On February 11, 1941, the Progressive Drug Co., Inc., having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

71-95

COSMETICS

The cases reported herewith, commenced prior to June 30, 1940, were instituted in the United States District Courts by the United States attorneys acting upon reports submitted by direction of the Secretary of Agriculture; and those commenced on and after that date were similarly instituted upon reports submitted by direction of the Federal Security Administrator.

PAUL V. McNUTT, *Administrator, Federal Security Agency.*

Washington, D. C., December 8, 1942.

CONTENTS

	Page		Page
Cosmetics actionable because of adulteration with poisonous or deleterious substances.....	35	Cosmetics seized because of false and misleading claims in labeling.....	45
Cosmetics contaminated with filth.....	44	Cosmetics in deceptive containers.....	47
		Index.....	49

COSMETICS ACTIONABLE BECAUSE OF ADULTERATION WITH POISONOUS OR DELETERIOUS SUBSTANCES

Nos. 71 to 75 report the seizure and disposition of a permanent waving method each unit of which consisted of a cardboard box holding one bottle each of a shampoo hair conditioner, a curling solution, and a neutralizing solution. The curling solution contained ammonium hydrogen sulfide, which would be injurious to users under customary conditions of use.

71. Adulteration of heatless method of permanent waving. U. S. v. 18 Cases and 6 Boxes of Willat Method of Heatless Permanent Waving (and 51 other cases against Willat method). Default decrees of condemnation and destruction. (F. D. C. Nos. 4246, 4271 to 4276, incl., 4278, 4336, 4337, 4340 to 4343, incl., 4354 to 4357, incl., 4381, 4382, 4385, 4420, 4427, 4447, 4448, 4496 to 4501, incl., 4561, 4563, 4564, 4567, 4568, 4570 to 4583, incl., 4641 to 4677, incl., 4680 to 4691, incl., 4761, 4832, 4837. Sample Nos. 28276-E, 31172-E, 31173-E, 44387-E, 44388-E, 46942-E to 46944-E, incl., 46946-E to 46952-E, incl., 47262-E to 47265-E, incl., 47818-E to 47821-E, incl., 50229-E, 50230-E, 53812-E to 53814-E, incl., 55464-E, 56152-E to 56154-E, incl., 56226-E to 56228-E, incl., 56230-E to 56236-E, incl., 56240-E, 56405-E to 56408-E, incl., 56411-E, 56413-E, 56529-E to 56532-E, incl., 56534-E to 56537-E, incl., 56539-E, 56540-E, 56543-E to 56551-E, incl., 56630-E, 56632-E, 56633-E, 62309-E, 69026-E to 69033-E, incl., 69122-E to 69125-E, incl., 69401-E, 69402-E, 69404-E to 69417-E, incl.)

Between April 5 and May 29, 1941, the United States attorneys for the District of Arizona, District of Connecticut, Northern District of Illinois, District of Maryland, Eastern and Western Districts of Michigan, District of New Jersey, Eastern and Southern Districts of New York, Western District of Texas, District of Utah, Eastern District of Virginia, and the Western District of Washington filed libels against the following quantities of Willat Method of Heatless Perma-